

PROB 12C
(7/93)

United States District Court
for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: CHEEKS, Eugene

Docket Number: 05-00209-001

PACTS Number: 39515

Name of Sentencing Judicial Officer: The Honorable Joseph A. Greenaway, Jr. U.S.D.J.

Date of Original Sentence: 11/21/2005

Original Offense: Possession with Intent to Distribute Heroin

Original Sentence: 84 months imprisonment; three (3) years supervised release; \$100 special assessment.
Special conditions: 1) drug testing/treatment; and 2) DNA collection.

Type of Supervision: Supervised Release

Date Supervision Commenced: 07/19/2010

Assistant U.S. Attorney: Joseph N. Minish, 970 Broad Street, Room 502 Newark, New Jersey 07102 (973) 645-2700

Defense Attorney: Nicholas E. Caprio, Esq. (retained), 1140 Bloomfield Avenue, West Caldwell, New Jersey 07006 (973) 882-3555

PETITIONING THE COURT

- ☒ [X] To issue a warrant to act as a detainer
☐ [] To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The offender has violated the mandatory supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On December 4, 2010, Cheeks was arrested by Irvington, New Jersey Police Department and charged with multiple drug offenses relating to the possession of crack cocaine. The case is pending disposition within New Jersey Superior Court, Essex County.

2

The offender has violated the standard supervision condition which states '**You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.**'

Cheeks failed to notify the undersigned Probation Officer about the arrest detailed in Violation #1. Likewise, no family member of the offender contacted Our Office on his behalf.

In addition, during a telephone conversation on August 24, 2010, the offender advised Probation he was questioned by Newark, New Jersey Police Officers regarding a homicide investigation approximately four or five days prior to this date. Therefore, this notification was not within the allotted time frame.

3

The offender has violated the standard supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender failed to submit the October 2010 monthly written report within the allotted time period. Additionally, this report was incomplete as numerous key components were omitted.

I declare under penalty of perjury that the foregoing is true and correct.

By: Joseph Empirio, U.S.P.O.

Date: 12/13/2010

J. Empirio

THE COURT ORDERS:

- ☒ The Issuance of a Warrant to Act as a Detainer in Essex County and Bail Revoked.
- ☐ The Issuance of a Summons. Date of Hearing: _____.
- ☐ No Action
- ☐ Other

James L. Hochberg

Signature of Judicial Officer

12/14/10

Date